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3 FAIR POLITICAL PRACTICES COMMISSION
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7
8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of)	FPPC No.: 04/002
)	
12 EILEEN G. MCDONALD,)	STIPULATION, DECISION AND
13)	ORDER
)	
14)	
)	
15 Respondent.)	
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16
17 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and
18 Respondent Eileen G. McDonald hereby agree that this stipulation will be submitted for consideration
19 by the Fair Political Practices Commission at its next regularly scheduled meeting.

20 The parties agree to enter into this stipulation to resolve all factual and legal issues raised by this
21 matter, and to reach a final disposition without the necessity of holding an administrative hearing to
22 determine the liability of Respondent.

23 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
24 rights set forth in sections 83115.5, 11503, and 11523 of the Government Code, and in sections 18361.1
25 through 18361.9 of title 2 of the California Code of Regulations. This includes, but is not limited to, the
26 right to personally appear at any administrative hearing held in this matter, to be represented by an
27 attorney at Respondent's own expense, to confront and cross-examine all witnesses testifying at the
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1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent committed 17 violations of the Political
4 Reform Act by making 15 governmental decisions in which she had a financial interest, in violation of
5 section 87100 of the Government Code (15 counts), and by failing to disclose a business entity as an
6 investment interest and a source of income on two annual statements of economic interests, in violation
7 of section 87300 of the Government Code (2 counts), as described in Exhibit 1. Exhibit 1 is attached
8 hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate
9 summary of the facts in this matter.

10 Respondent agrees to the issuance of the decision and order, which is attached hereto.
11 Respondent also agrees to the Commission imposing upon her an administrative penalty in the amount
12 of Twenty-Nine Thousand Dollars (\$29,000). A cashier's check from Respondent in the amount of
13 Twenty Thousand Dollars (\$20,000), made payable to the "General Fund of the State of California," is
14 submitted with this stipulation as partial payment of the administrative penalty, and shall be held by the
15 State of California until the Commission issues its decision and order regarding this matter. Thereafter,
16 Respondent agrees to pay Nine Thousand Dollars (\$9,000) in nine (9) consecutive monthly payments of
17 \$1,000, commencing on January 15, 2006 until paid in full. Respondent further agrees that a civil
18 judgment may be entered and executed upon her for the balance owing plus interest and costs of suit, if
19 Respondent fails to make payments pursuant to the agreed-upon monthly schedule.

20 The parties agree that in the event the Commission refuses to accept this stipulation, it shall
21 become null and void, and within fifteen (15) business days after the Commission meeting at which the
22 stipulation is rejected, all payments tendered by Respondent in connection with this stipulation shall be
23 reimbursed to Respondent.

24 Respondent further stipulates and agrees that in the event the Commission rejects the stipulation
25 and a full evidentiary hearing before the Commission becomes necessary, neither any member of the
26 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this
27 stipulation.
28

1 Dated: _____

Mark Krausse, Executive Director
Fair Political Practices Commission

4 Dated: _____

Eileen G. McDonald, Respondent

8 **DECISION AND ORDER**

9 The foregoing stipulation of the parties “In the Matter of Eileen G. McDonald, FPPC No.
10 04/002,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair
11 Political Practices Commission, effective upon execution below by the Chairman.

12
13 IT IS SO ORDERED.

15 Dated: _____

Liane M. Randolph, Chairman
Fair Political Practices Commission